

REMARKS

Claims 1-3, 5-7, 13, 20-24, 26, 27, 29, 30 and 32 are rejected under 35 U.S.C. § 102(b) as being anticipated by previously-cited Swayze (US 5,115,265). Claims 4 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Swayze in view of previously-cited Toyofuku (US 6,166,765). Claims 14, 16, 17, 19, 25, 28 and 31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Swayze in view of previously-cited Herzfeld (US 2,725,804). Claim 18 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Swayze in view of Herzfeld and further in view of previously-cited Palm et al. (US 6,414,709).

To expedite prosecution of this case, Applicant amends claims 1, 14 and 21 to describe more particularly the positioning of the lens barrier with respect to the body of the image capturing apparatus. Applicant submits that Swayze fails to teach or suggest this feature of claim 1. As illustrated in FIGS. 2-4, Swayze's cover parts 3 and 5 do not maintain a centrally positioning of an axis for the lens barriers. Rather, the distance between the cover parts 3 and 5 and the sides of the camera body 6 increases as the cover parts are opened due to the difference in mounting. Thus, Applicant submits that claim 1 and its dependent claims 2, 3, 5, 6, 7, 13, and 20 are not anticipated by Swayze.

Applicant submits comparable amendment to independent claims 14 and 21. Applicant submits that claim 14 and 21 and their dependent claims 16-19 and 21-23 are allowable over the prior art, for reasons analogous to those for claim 1.

Applicant submits that claims 4 and 8 are allowable over the prior art, at least because of their dependence from claim 1, and because Toyofuku fails to make up for the deficiencies of Swayze.

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For claim 24, Applicant submits that the prior art fails to teach or suggest the feature of a lens barrier attachment disposed at or near a center of the body for allowing the lens barrier to pivotally move around the axis. The Examiner points to the lugs 23 and 31 of FIG. 1 as allegedly corresponding to this feature. However, FIG. 1 clearly illustrates that the lugs 23 and 31 are positioned at the outer edge of the camera body 6. The lugs are not disposed at or near the center of the camera body. Thus, Applicant submits that claim 24 is not anticipated by Swayze.

Applicant submits that claims 25 and 26 are allowable for reasons analogous to those for claim 24.

Applicant submits that claims 30-32 are allowable, at least because of their dependence from claims 24-26, respectively.

Claim 18 is allowable, at least because of its dependence from claim 14.

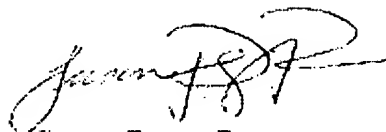
Claims 9-12 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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CUSTOMER NUMBER

Date: June 9, 2005